

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION

THIS DOCUMENT RELATES TO:

All Cases

MDL No. 2804

Case No. 1:17-md-02804-DAP

Judge Dan Aaron Polster

**THE PBMS' MOTION FOR RECUSAL AND FOR RENEWED RECONSIDERATION  
OF THEIR MOTION FOR DISCLOSURE OF ALL *EX PARTE* COMMUNICATIONS**

In accordance with 28 U.S.C. § 455, Canon 3 of the Code of Conduct for United States Judges, and the Court's inherent authority, the PBMs<sup>1</sup> respectfully move for recusal of the Honorable Dan Aaron Polster and renew their request for reconsideration of the Court's order denying their motion for disclosure of all *ex parte* communications in the MDL.

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<sup>1</sup> We use the term "PBMs" to refer collectively to OptumRx, Inc.; UnitedHealth Group Incorporated; Optum, Inc.; OptumInsight, Inc.; OptumInsight Life Sciences, Inc.; OptumRx Discount Card Services, LLC; Optum Perks, LLC; OptumHealth Care Solutions, LLC; OptumHealth Holdings, LLC; and Optum Health Networks, Inc.; Express Scripts, Inc.; Express Scripts Administrators, LLC; Medco Health Solutions, Inc.; ESI Mail Order Processing, Inc.; ESI Mail Pharmacy Service, Inc.; Express Scripts Pharmacy, Inc.; Evernorth Health, Inc. (formerly Express Scripts Holding Company); and Express Scripts Specialty Distribution Services, Inc., even though most of those entities are not pharmacy benefit managers.

Respectfully submitted this 2nd day of April, 2025.

/s/ Brian D. Boone

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